

8/CONGRESSIONAL AFFAIRS

87-5811

November 18, 1987

Senator David L. Boren  
Senator William S. Cohen  
Select Committee on Intelligence  
Washington, D.C. 20510-6475

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Gentlemen:

In your letter of November 10, 1987, you requested my "written comments" on S.1721 and S.1818.

Before I proceed to comment, may I remind you that I vacated my position as Director of Central Intelligence in early February 1973 and have not been privy in any detailed sense to legislation affecting the Agency or the Intelligence Community since that time. Hence what I write here may suffer from lack of specificity or may even be wide of some mark.

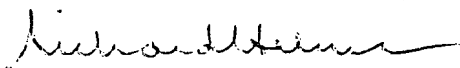
It is not entirely clear to me why S.1721 is necessary. Even though I personally am in favor of a joint Congressional oversight committee, the merits of which I do not want to debate here, I had the impression that the oversight system was working fairly well and that the Iran/Contra incident was an aberration, the baleful effects of which have led the President to make changes in the system which should ease Congressional concern. These changes have hardly been given a chance to work, I would have thought.

As for the language of the Bill itself, I am particularly troubled about the requirement to report on the participation of "any third party" involved in a "special activity." Foreigners or foreign intelligence and security services are understandably concerned not only about leaks but also about becoming formally involved in secret operations of the U.S. Government. A "special activity" by its very nature involves foreigners or foreign assets, and reporting requirements which request identities in writing are bound to have a decidedly chilling effect. It is my opinion that in this world of terrorism, or low intensity warfare, collaboration with foreign intelligence and security services will become increasingly vital to the protection of U.S. citizens and installations both here and abroad. Some of these same services we may need for help in special activities as distinguished from counter intelligence or counter terrorism. The

confidentiality we give them in one activity will be expected in every aspect of the relationship. I would hate to see us deprive ourselves of needed assets simply because pique has developed between the Executive and Legislative branches over past handling of certain special activities.

With respect to S.1818 I would be opposed to the enactment of a Bill requiring that an inspector general be appointed by the President and imposed on the Director of Central Intelligence. This strikes me as being tantamount to planting a Congressional informant in the Center Intelligence Agency with all the unhappy overtones that such a move would create. I need hardly point out that those elements of the Agency which are involved in secret work abroad are already deeply concerned with existing intrusions into the privacy of their operations. An inspector general who owes his loyalty elsewhere would, I believe, be regarded as the last straw. The most highly motivated case officers would not want to continue secret intelligence collection activities abroad under such conditions. Thus, the country's "first line of defense" would be severely crippled, in my opinion. Is that really what the Senate wants?

Sincerely,

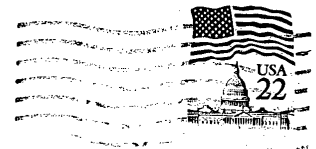


Richard Helms

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